



CITY OF NEWPORT BEACH ENVIRONMENTAL QUALITY AFFAIRS COMMITTEE

DATE/TIME: Monday, February 26, 2007 - 7:00 p.m.

**LOCATION: Police Department Auditorium
870 Santa Barbara Drive**

Roll Call

1. Minutes of December 18, 2006 (*draft minutes attached*)
2. Discussion of how to review environmental documents (*Discussion paper and sample comments attached*)
3. Economic Development Committee (EDC) Representative's Report
4. Report from Staff on Current Projects
5. Public Comments
6. Future Agenda Items
7. Adjournment

NEXT MEETING DATE: March 19, 2007

*Attachments can be found on the City's website <http://www.city.newport-beach.ca.us>. Once there, click on **City Council**, then scroll to and click on **Agendas and Minutes** then scroll to and click on **Environmental Quality Affairs**. If attachment is not on the web page, it is also available in the City of Newport Beach Planning Department, 3300 Newport Boulevard, Building C, 2nd Floor.

City of Newport Beach

ENVIRONMENTAL QUALITY AFFAIRS COMMITTEE



DRAFT MINUTES 12-18-06

Draft minutes of the Environmental Quality Affairs Committee held at the City of Newport Beach Police Department Auditorium, 870 Santa Barbara Drive, on **Monday, December 18, 2006.**

Members Present:

X	Keith Curry, Council Member		Sandra Haskell - <i>excused</i>
	Richard Nichols, Council Member- <i>exc</i>		Barry Allen - <i>excused</i>
	Bruce Asper - <i>excused</i>	X	Kristine Adams
X	Dolores Otting, Vice Chair		Marianne Zippi - <i>excused</i>
X	Kimberly Jameson		Arlene Greer
X	Matt Wiley		Jack Wu - <i>excused</i>
X	Christopher Welsh		Jennifer Winn - <i>excused</i>
X	Mike Browning	X	Ray Halowski
X	Brent Cooper	X	Barbara Thibault
	Laura Dietz - <i>excused</i>	X	Merritt Van Sant
X	Kenneth Drellishak, Chair	X	Robert Rush
X	Laura Curran		

Staff Representatives:

Guests Present:

X	Assistant City Manager Sharon Wood	Robert Hawkins
		Cris Trapp

Chairperson Ken Drellishak called the meeting to order at 7:20 p.m. He welcomed past chairpersons, Robert Hawkins and Cris Trapp.

1. Minutes of October 16, 2006

Kimberly Jameson moved to approve the minutes as written. Brent Cooper seconded the motion.

Motion passed unanimously

2. Presentation on Review of Traffic Studies

Transportation and Development Services Manager Rich Edmonston presented information on types of traffic studies and standards for them. He responded to questions from the Committee regarding summer traffic, through traffic and improvement projects.

3. Discussion of Composition of Membership Subcommittee

Chairperson Drellishak reported that the Membership Subcommittee recommended that the current membership of himself, Dolores Otting and Sandra Haskell continue. Merritt Van Sant moved approval and Kristine Adams seconded the motion.

Motion passed unanimously

4. Meeting Schedule for 2007

The Committee discussed 2007 meeting dates that conflict with holidays. Ray Halowski moved the schedule meetings on January 22 and February 26, 2007, and Kristine Adams seconded the motion.

Motion passed unanimously

5. Economic Development Committee Report

Chairperson Drellishak reported on the EDC's work on an Economic Development Strategic Plan.

6. Report from Membership Committee

Chairperson Drellishak reported that the Membership Subcommittee recommended the appointment of John Moftakhar to the vacant Community Association seat. Council member Curry moved approval and Matt Wiley seconded the motion.

Motion passed unanimously

7. Report from Staff on Current Projects

Sharon Wood reported that a Draft EIR on the Hoag Hospital Master Plan amendment will be released for public review soon.

8. Public Comments

Robert Hawkins commented on the value to the Planning Commission of EQAC's comments on environmental documents.

Cris Trapp reported on the Parks, Beaches and Recreation Commission's work on four new parks: Newport Center, Sunset Ridge, Newport Coast and Marina Park.

9. Future Agenda Items –

None

10. Adjournment –

The meeting was adjourned at 8:55 p.m.

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City on Newport Beach Environmental Quality Affairs Citizens
Advisory Committee (EQAC)
Notes on Getting Started on Reviewing Assigned Documents
Kenneth S. Drellishak
EQAC Chairman
January 2007

BACKGROUND

EQAC was established by City Council Resolution in 1987 and serves as a vehicle for citizen inputs regarding major land use projects within the City of Newport Beach or near our borders. The City Staff and Planning Department determine whether a proposed project will cause “significant” impacts on environmental issues defined by California Environmental Quality Act (CEQA). If these impacts cannot be mitigated to “less than significant” by the project proponent, the City will initiate a process leading to preparation of a full Environmental Impact Report (EIR), which must be approved by the Planning Commission and/or City Council prior to proceeding with the project. EQAC members should research CEQA on the Internet or at the Public Library to become acquainted with required environmental issues and the required format of an EIR. Also, get access to a recent DEIR with associated EQAC comments from City staff.

CEQA SECTION 15064- Determining the Significance of the Environmental Effects Caused by a Project

This section of CEQA deals with determination of whether a project will have a “significant” impact on the environment. “Significant” environmental impact is not a precise term. CEQA states that this occurs if the project produces a detrimental direct physical change in the environment or reasonably foreseeable indirect physical changes. This leaves wide latitude for interpretation, but the relevant agencies have developed significant experience and expertise in making such determinations.

The lead agency (usually the City of Newport Beach for projects reviewed by EQAC) will determine and quantify the “significant” environmental impacts for a project. The DEIR must analyze each of these impacts and propose “mitigation measures” to reduce each of the impacts to “less than significant”. If this cannot be achieved, the lead agency may choose to proceed with the project after adoption of a “statement of overriding considerations” which emphasizes the importance of the public good over the remaining “significant” environmental impacts.

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IS/NOP

If it is determined that an EIR is required, the City will proceed by issuing an Initial Study/Notice of Preparation (IS/NOP). This identifies key environmental issues and invites all interested parties (including EQAC) to provide inputs to the proponents regarding what they would like to see covered and/or emphasized in the EIR. CALTRANS, SCAQMD, Dept. of Fish and Game, affected Community Associations, citizens and various other persons/agencies will be noticed and asked to provide inputs, and most of them will provide feedback. If time permits, EQAC will assign a team to review and comment on the IS/NOP. Since the IS/NOP contains little or no analysis, our job is to review the logic of the IS, identify areas that may have been overlooked and ask for adequate supporting analysis in key areas. Because this is early in the process, comments on the IS/NOP will generally be broad and general in nature and designed to elicit complete responses in the DEIR

DEIR

A draft EIR (DEIR) for the project will be prepared using CEQA guidelines and guidance from the IS/NOP inputs, and EQAC will be asked to comment on the DEIR before it goes to Planning Commission and/or City Council for final approval. A typical DEIR will consist of several hundred pages of reports and technical Appendices. Don't be overwhelmed! You will be asked to review only a portion of the DEIR and Appendices. (The first DEIR Appendix is usually the IS/NOP with responses, and the others will be technical studies and analyses). Following are some ideas on how to get started:

1. Read and take notes on the Introduction and Project Description sections. This will give you a good feeling for what the project is all about and what the writers think are important issues. When reviewing your sections(s) keep an eye out for inconsistencies and be sure to comment on them (e.g. the Project Description describes a parking lot with 48 locations, but your section says 40 locations. Which is being proposed?)
2. Read the IS/NOP responses in the Appendix related to your area and be sure that the DEIR analyzes all issues requested by the IS/NOP responders.

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3. Read your sections(s) thoroughly and read the supporting technical analyses in the Appendices. If you are not able to evaluate the technical analyses, try to make sure that they at least cover the required topics. For example, a project may be required to analyze Hazardous Materials and various other topics. Read what they say are requirements in each of these areas. (Requirements will be summarized in Tables in Section 2 and discussed in more detail in Section 4 of the DEIR.) Be sure that the supporting analysis at least deals with the requirements they described. If not, we must ask them to do so. Don't be intimidated if you can't fully evaluate the technical appendices. You may not be able to critique the computer analysis, but you can critique the overall logic involved. A typical comment might be as followed:

“Page 503, paragraph 3 of the DEIR states that selenium contamination due to dredging operations could exceed EPA acceptable levels, but this issue is not analyzed in the Appendix. Please add definitive analysis to show that the completed project meets EPA standards.”

4. We may take issue with any of the environmental impacts and/or mitigation measure if we chose. However, we must use some evidence from the DEIR on our knowledge of Newport Beach environmental issues to substantiate our concerns. Without supporting data/evidence, opinions don't carry much weight.
5. Please feel free to comment on any section of the DEIR, even if it is not your assigned area. We will sort out any duplications/redundancies when we review and finalize inputs at the full EQAC meeting.

GENERAL REVIEW DISCIPLINES

1. The DEIR is a stand-alone document. Anything that is missing cannot be expected to be present in the final document. If something is asserted, but not proven, demand proof.
2. We are to criticize the DEIR based on its adherence to CEQA requirements and on what is contained in the report. If something is missing, ask for it. If there are inconsistencies, point them out. If you don't think that mitigation is good enough, suggest/request better.

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3. Be specific about which part (page and paragraph) of the DEIR you are questioning. Use third person format (i.e. the proponent shows no plans for meeting...), and avoid first person references (i.e. I can't see how the proponent plane to meet....).
4. We are not to critique efficacy of the project, per se. Planning Commission and City Council will conduct other in depth evaluation of the proposed project. We are to limit our attention to CEQA issues.

CONCLUSION

I hope this helps in getting started on your EQAC assignments. Practice makes perfect and you will all be proficient contributors in no time. Enjoy your new insights into the future of Newport Beach..

SAMPLE COMMENTS + RESPONSES

TO: Jim Campbell, Senior Planner of City of Newport Beach

FROM: EQAC

SUBJECT: EQAC Report on the St. Andrews Church Draft EIR

On April 19, 2004, at the Committee's regular monthly meeting, the EIR and proposed project by St. Andrews Church was discussed. Present during this discussion were representatives of St. Andrews Church. The following is the EQAC report on the Committee's review of the draft EIR:

In Appendix B are the NOP comment letters. Conspicuously absent is the NOP comment letter made by EQAC. No explanation has been offered to the subcommittee as to why this particular letter was not included in the EIR. The final EIR should include EQAC's comments.

1. Land Use and Planning:

- 1 (a) Section 3.2.3 Existing Zoning (page 3-9) - The first sentence incorrectly references the southern portion of the subject property as being zoned R-1 and the northern portion zoned R-2. According to Exhibit 3-6, the reference is reversed.
- 2 (b) Section 3.5 Project Phasing (page 3-20) - Under the paragraph entitled "Weekend Church Activities" there is a reference to permit no. 4014 and the dates don't make sense. We assume the effective date is July 5, 2005 and it expires November 6, 2005. Considering the lengthy construction process this permit is likely to lapse before the project is started or completed.
- 3 (c) Candidate properties currently being investigated for off-site parking include the Ardell property. Ardell has indicated that their property is not available for an off-site parking agreement with the church.
- 4 (d) Section 4.1.1 Existing Conditions (Land Use and Planning) - Housing Element (page 4.1-2) - The last sentence refers to areas available for in-fill development and includes the upper castaways property that has been developed for over five years.
- 5 (e) Recreation and Open Space Element (page 4.1-2) - Bob Henry Park is located in the referenced area.

deal with the concern that a magnet for crime may be built. The applicant should be required to design a parking structure that does not become a magnet for criminal activity. The applicant should be required to demonstrate to the policy makers proper design features have been incorporated into the structure to prevent crime. Examples of what might be utilized is open areas in the walls to allow daylight, well lighted underground structure, open and lighted staircases, and surveillance cameras. The applicant should demonstrate that similar features will be incorporated in their parking structure. The police should be asked to supply information on criminal activity in underground parking structures.

6. Traffic and Parking:

- 30 (a) The streets around the project are almost all single lane in each direction. With Harbor High School, the across the street neighbor of the project, the traffic is never going to be great, given the size and capacity of the streets. Fortunately, other than the church school (300 students) and church staff and school personnel (118) the traffic generated by the two neighbors generally use the streets at different hours during the day. If the project is approved the EIR anticipates an increase of 320 added car trips on a typical weekday (traffic study, page 21). This figure standing alone would not appear to increase traffic levels in a significant degree. The EIR traffic studies confirm this.
- 31 (b) Sunday morning traffic was not analyzed (page 15). The project engineers utilized "CHURCH" as the way to categorize the project. Is this appropriate when the proposed expansion is not the sanctuary but to the remainder of the project?
- 32 (c) During the construction phase how does the project intend to enforce the no heavy truck use during peak traffic hours?
- 33 (d) During construction what is the proponents plan to allow bicyclists to use 15th Street in a safe manner? After all, this area has heavy bicycle use for Harbor High and Ensign Middle School.
- 34 (e) On page 4.2.11 a proposed condition is that the contractor has to submit a traffic control plan prior to the issuance of the demolition permit. That plan should be submitted at this time so that it can be reviewed by the public and the policy makers to determine if it is a reasonable plan before approving this project. The agency's promise and deferral on the mitigating of this significant impact fails to satisfy CEQA requirements. "By deferring environmental assessment to a future date the condition runs counter to the policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." SUNDSTROM v. COUNTY OF MENDICINO (1988) 202 CA3d 296, 308.

35 (f) Section 4.2.4.2, Long-Term Operational Inputs (page 4.2-17) - The unsignalized intersection of Irvine Avenue and 15th Street will operate at level F in the A.M. at level E in the P.M. The EIR states this is an acceptable condition because this intersection currently operates at these unacceptable levels. The applicant's project will add traffic to this unacceptable condition. What effort is the applicant willing to make to try and solve this admitted traffic problem that is at least partially caused by the existing development on site?

36 (g) Section 4.2.2, Significant Criteria - Currently, the applicant does not meet the required parking spaces for the existing facilities. After the proposed project is completed the applicant will still not have sufficient parking capacity and will require an ordinance variance (62 spaces short). The applicant should be required to meet parking requirements in order to eliminate one of the significant complaints from the neighboring residential community.

37 (h) The church has a staff of 118 people (page 3-4 and 3-6). Where are they going to park during construction when the parking lot is removed and the parking garage is under construction?

38 (i) There are 300 students in the church school. All the children are of an age that they would not be driving their own motor vehicles to the site. How are the students in the church school going to arrive at school and be safely delivered and transported to the school during construction?

39 (j) Exhibit 4.2-3 Diagrams off street parking in all the residential areas surrounding the site. This provides 626 on street parking places. 462 of those will be occupied on Sunday if no parking is provided on site during construction and if Harbor High School doesn't allow the use of its parking lot because of its own construction activities going on at the same time.

40 (k) On a typical Sunday now 490 cars were determined to be parked in the church lot, school lot, and on the street during Sunday church activities. The obvious question is where do these 490 cars park during the construction phase of the church when there is no on site parking available? On page 4.2-11 a condition on the project is for the church to submit an off site parking management program during the construction phase. The policy makers should require that program to be provided at this time for viewing by the policy makers to see if it is in fact a practical solution for the parking problem. Such important guidelines should not be left to some consideration after the project is approved but before the issuance of a "demolition permit". That doesn't give the public a chance to comment on the plan unless this is part of the EIR and the documents that the policy makers and public can review prior to any approval of the project. (See SUNDSTROM case.)

- 41 (l) Under PARKING on page 4.2-12, the first paragraph, it indicates that construction crews will be shuttled to the site from an off site location and will not be allowed to park on local streets. Where is the "off-site location"? What method is suggested for enforcement of this requirement on construction workers? If a construction worker parks on a local street and then walks to the job site what do you do to him? Many construction workers bring the equipment they need to do their job in their trucks. How does the proponent plan to get the product that they use to perform their jobs to the site if their trucks have to be parked far away and then they as individuals are shuttled to the site?
- 42 (m) On page 4.2-12 there is discussion of an alternative parking site as being at the Lighthouse Coastal Community Church. Is there a written agreement between the churches to allow this?
- 43 (n) On page 9-2 of the EIR there is a discussion of plans at Harbor High School for significant work to be completed on site and in some instances involving 15th Street and Irvine Avenue within an 18 to 24 month period beginning in approximately May 2004. The EIR goes on to conclude, on page 9-3, that because these projects are temporary these impacts would cease upon the completion of the project. Considering the length of time of the two projects, is it appropriate to burden the residents in the area with not only the construction projects of the school but also the construction projects at the applicant's site at the same time?
- 44 (o) The City requires one parking space for each three seats and the church seats 387 people. The proposed parking on site is 400 spaces. The church will therefore be under parked by 62 spaces even with the increased parking being built. In approving this project the policy makers must consider whether allowing such a deficiency in parking to exist is appropriate.
- 45 (p) The EIR proposes a parking management program to instruct church members where to park (page 1-7). This "program" is basically telling people where to park off-site. Is it appropriate to allow this project when the parking plan mainly involves using street parking in a residential neighborhood?
- 46 (q) St. Andrews is a good neighbor and provides valuable services to the community. However, they're in a basically R-1 neighborhood. The question needs to be asked: Is this just too much to give in this particular location?
- 47 (r) The EIR concludes that parking on the city streets will "reduce demand for parking along residential streets" (page 4.2-19 and various other locations in EIR). The streets where the parking is proposed are "residential streets".

48 (s) Another suggested mitigation for parking is set forth on page 4.2-21 and indicated "with the exception of special or unusual events that now take place at the church, no concurrent use of other assembly areas within the church property that exceeds the approved capacity of 1387 persons will be permitted at any time." Is the applicant willing to allow a condition on the project for this mitigation measure? If so, then it would appear that the sanctuary could not be used for services at any time when any other area of the church property is being utilized for any other purpose at all.

49 (t) On page 4.2-12 the EIR indicates that the church and the high school have "entered into a temporary agreement that gives the church the exclusive use of parking at the high school." The policy makers should require a copy of this agreement.

50 (u) The traffic study, at page 35, suggests that when the project is completed, if it is completed as planned, it would now have substantial excess parking capacity available except on Sundays. The traffic study recommends the church therefore issue a greater number of parking permits to the high school to reduce the need for neighborhood street parking by students and staff on school days. The policy makers should request/require of the applicant that such an agreement be made between the church and the school on the basis that it would be of a substantial benefit to the residents in the area.

51 (v) The traffic study seems to be incomplete in one area. When you have church activities on a weekday for not only the sanctuary are in use, but you have Harbor High School in session, and you have the church school in session plus the other daily activities that are set forth in the church calendar that take place throughout the day. Wouldn't it be appropriate, and of assistance to the policy makers, to have a study done on a weekday of the parking and traffic in the area when the church has a memorial service/funeral at the same time as all the above activities are also taking place?

52 (w) The EIR on page 4.2-21 indicates that "project implementation. . . will not exacerbate any existing parking deficiencies in the neighborhood." In view of the studies set forth in the EIR this would appear to be an inappropriate finding.

7. Miscellaneous:

53 (a) LIGHTING - On page 1.11 a lighting study is discussed with an evening inspection to take place prior to the issuance of a building permit. If it is impractical to conduct that study and include that in the EIR (see SUNDSTROM case) isn't that something that should be required to be published to the citizens in the area so that they might attend the inspection to determine what effect the lighting study may have on the residential area?

RESPONSES

Aesthetics

Response to Comment No. 26

The Final EIR will be revised to delete "the intensity of" before the word "development" in the third sentence in the third full paragraph on page 4.5-8. The intent of that discussion was to convey the notion that although the amount of floor area (i.e., intensity) would be increased on the site, the overall character of the site will not change. While it is true that the buildings will be larger and taller than the existing structures, the overall character of the site and area will not change significantly. The new buildings will have similar architecture as the sanctuary and related buildings on the site and will be located in the same general area. The increased height will require specific findings to be made by the City for approval.

Response to Comment No. 27

Visual simulations were not required for the project due to the lack of visual or scenic resources and public views. Additionally, the applicant has prepared a scale model of the proposed project that should assist decision-makers in evaluating the proposed project.

Response to Comment No. 28

Two conditions have been included in Section 4.5.3 on page 4.5-7 of the Draft EIR. These conditions, which require compliance with applicable standards of the Zoning Code and the preparation and approval of a photometric study prepared in conjunction with the final lighting plan, will ensure that project-related lighting will be controlled and no significant impacts to adjacent property owners will occur. All standard conditions identified in the Draft EIR will be included as conditions of approval to the Use Permit should the City choose to approve the project.

Police Protection

Response to Comment No. 29

As indicated in the preface to Section 4.6 (Police Protection) on page 4.6-1 of the Draft EIR, the information presented in the analysis is based on information provided by the Newport Beach Police Department. The Police Department responded to the specific concern of increased criminal activity at the site by indicating that project implementation would not result in a demand for law enforcement services that "... would necessitate an increase in manpower and/or equipment." Nonetheless, several recommendations were identified for consideration by the Police Department because of the proposed subterranean garage. Those measures, which are intended to reduce the potential for illicit activities on the site, have been included as mitigation measures.

Traffic and Parking

Response to Comment No. 30

This comment is noted. As indicated in the traffic analysis, project implementation would result in an increase of only 328 additional vehicle trips per day. Neither the daily nor peak hour trips associated with project operational characteristics, when added to the existing and future traffic volumes, would result in significant impacts to the intersections evaluated in the traffic analysis.

Response to Comment No. 31

The Institute of Transportation Engineers Trip Generation Manual (7th Edition) describes a church as follows: A church houses an assembly hall or sanctuary; it may also house meeting rooms, classrooms,

and occasionally dining, catering, or party facilities.” The weekday trip generation rates published by ITE reflect the trip-making characteristics of a church with all its ancillary uses, based on the total square feet of all uses.

Sunday traffic was not analyzed, because the focus of a traffic study is the impact of a project on the operation of area intersections during the times when they are carrying their greatest amount of traffic, which are weekday peak periods. Therefore, the traffic analysis represents a “worst case” scenario.

Response to Comment No. 32

Typical of any construction site operation, the requirements and restrictions imposed on the project will be communicated to the construction manager, and any infractions by the construction team will be addressed immediately. Further, the City will be required to monitor construction mitigation measures through the Mitigation Monitoring and Reporting Program (MMRP).

Response to Comment No. 33

There is no plan at this time to close any portion of 15th Street. The Construction Traffic Control Plan will be designed to ensure safety vehicle/pedestrian/bicycle travel to the maximum extent. This plan may include the use of barricades, flagmen or restriction of heavy construction equipment during periods of heavy school-related traffic.

Response to Comment No. 34

The City of Newport Beach requires the preparation and submittal of a Construction Traffic Control Plan for approval by the City prior to the issuance of the demolition permit. This “standard” condition prescribed by the City for similar projects is appropriate and does not “defer” environmental review as suggested in this comment. The potential impacts associated with the construction activities have been identified in the Draft EIR. The Construction Traffic Control Plan will provide the appropriate detail regarding specific characteristics of the construction program that may not be known at the present time. The City will review the plan to ensure that all it addresses all of the potential impacts identified in the Draft EIR.

Response to Comment No. 35

The unsignalized intersection at 15th Street and Irvine Avenue will operate at LOS C during the a.m. peak hour and LOS D during the p.m. peak hour. The LOS E and LOS F reflect conditions during the focused 15-minute period within the peak hour. The study does not indicate that LOS “E” or “F” during the 15-minute period is acceptable, but rather, indicates that the project’s contribution to intersection operations during that 15-minute period.

Response to Comment No. 36

The City waived a portion of the required parking when the current sanctuary was approved. Since that approval, the parking requirement for religious assembly has increased from one space for every five seats to one space for every three seats. The comment is correct in that the proposed project does not supply the minimum required spaces based upon the current standard. The Draft EIR incorrectly states that the project is 62 spaces deficient. The project is 63 spaces deficient and the EIR will be corrected to reflect this error. The comment that the project should be required to provide the minimum number of off-street spaces required by Code is acknowledged and will be forwarded to the decision-makers.

Response to Comment No. 37

The applicant has received permission to have their staff park at Lighthouse Coastal Community Church located at 300 Magnolia Street in Costa Mesa during the week. During the weekend, staff and volunteers will park on-site or at NHHS or other off-site locations identified.

Response to Comment No. 38

The applicant plans to close and possibly relocate the pre-school during the construction period. No location for the temporary pre-school has been identified to date by the applicant.

Response to Comment No. 39

Reference Church operation plans for the construction phases when all on-site parking is unavailable. If school parking is unavailable at the time the Church parking is under construction, other off-site parking locations will need to be secured. Otherwise, church services will need to be conducted in an alternate location.

Response to Comment No. 40

The comment indicates that the parking study within the Draft EIR has determined that 490 cars are attributable to the church on a typical Sunday. This statement is not correct as the Draft EIR indicates that there is no way to determine the exact number of cars attributable to the church on any given day. During construction, church-related cars will park at NHHS, Lighthouse Coastal Community Church, other off-site parking lots yet to be identified, and on the street. Church vans and busses will be utilized to shuttle church participants to the site. Postponing the preparing of the parking management plan does not change the fact that off-site parking must be secured. The minimum number of spaces that should be secured is 400 spaces, inclusive of the spaces available in the NHHS lot on 15th Street. Refer to Response to Comment No. 39.

Response to Comment No. 41

The construction contractor is responsible for identifying locations for construction crew parking. While those locations have not been identified to date, once the locations are secured they will be identified and the information will be included in the parking management plan. In addition, the contractor will also be responsible for ensuring that the equipment needed on-site during demolition and/or construction are adequately addressed so that on-street parking in the neighborhood is not utilized.

Response to Comment No. 42

While no agreement currently exists, the Lighthouse Coastal Community Church has sent a letter the project applicant that acknowledges a commitment on the church's behalf to allow use of the existing church parking on a temporary basis to accommodate both staff and church parking needs of St. Andrew's Presbyterian Church during the week. As indicated in the Draft EIR, the staff and others parking at the remote site would be shuttled to St. Andrew's Presbyterian Church on shuttles and other church vehicles.

Response to Comment No. 43

As indicated in this comment, it is anticipated that construction of the proposed project and renovation and construction at Newport Harbor High School may be anticipated to occur concurrently. SC 4.2-2 in the Draft EIR requires that the applicant prepare a Construction Traffic Control Plan. That mitigation

measures as been revised to reflect the concurrent construction activities at the two sites. The revised condition is identified below.

SC 4.2-2 Prior to issuance of the demolition permit, the contract shall submit a Construction Traffic Control Plan (including a bike lane detour plan), to be prepared by a registered traffic engineer and submitted to the City of Newport Beach for approval. Prior to preparation of the plan, the contractor shall contact the Newport-Mesa Unified School to determine whether construction and/or renovation activities at the high school will occur at the same time as demolition and construction of the proposed project. The Traffic Control Plan prepared for the proposed project shall reflect any concurrent construction activities that occur at the high school. Approval shall be required prior to issuance of the authorization to proceed. All traffic control work for construction shall conform to the requirements as stipulated by the City of Newport Beach, including lane reductions, use of flagmen, etc.

The appropriateness of the concurrent construction at the two sites (as currently anticipated) will be a consideration of the Newport Beach Planning Commission and City Council.

Response to Comment No. 44

The Draft EIR incorrectly states that the project is 62 spaces deficient. The project is 63 spaces deficient and the EIR will be corrected to reflect this error. The parking analysis concluded that the 400 parking spaces provided on-site, combined with the parking available in the 15th Street parking lot at NHHS and the on-street parking along 15th Street, St. Andrews Road, and Clay Street abutting the church will reduce the demand for parking along the residential streets (i.e., that have direct residential frontage). Nevertheless, as indicated in this comment, the decision-makers must determine if the resulting on-site parking deficiency is appropriate.

Response to Comment No. 45

This statement is incorrect. The parking management plan addresses parking on-site first, then at NHHS, and then along 15th Street, and specifically calls for Church members to be instructed NOT to park in the residential neighborhood.

Response to Comment No. 46

This comment, which raises a question related to the intensity of development proposed by the project applicant and the compatibility with the existing residential neighborhood, is acknowledged. While no specific issue related to the environmental analysis is raised in this comment, it will be forwarded to the Newport Beach Planning Commission and City Council for consideration prior to taking an action on the proposed project.

Response to Comment No. 47

The EIR states that providing additional parking on-site, and directing Church members to utilize the school parking and the street parking that does not have residential frontage will "reduce or eliminate the need to park on any neighborhood streets with direct residential frontage."

It appears the intent of the comment is to insist that all streets in the area are "residential streets," even 15th Street adjacent to the church and school. The distinction between streets with and without residential frontage is made in the study to be sensitive to the effects of Church-related parking directly in front of one's home.

Response to Comment No. 48

As indicated in the Draft EIR, use of the facilities at St. Andrew's Presbyterian Church would be limited to the maximum capacity of the sanctuary, which is based on 1,387 seats. This maximum "occupancy" would be applied to the entire site, including all buildings and grounds, regardless of which facilities are being utilized. It is important to note that the last statement in this comment would be true only if the on-site occupancy reaches 1,387 without use of the sanctuary. However, the sanctuary could accommodate additional occupants as long as the maximum occupancy/capacity allocated to the church facilities is not reached.

Response to Comment No. 49

The temporary agreement referenced in the Draft EIR is a temporary permit from the Newport-Mesa Unified School District for the parking of 400 cars on Wednesday, Saturday and Sunday, between July 2005 and November 2006. However, as a point of clarification, a formal agreement beyond this permit for the use of parking by the church at the Newport Harbor High School parking lot(s) does not exist. However, it is important to note that the existing "arrangement" between the church and the District provides for the use of available parking facilities when either the church or District has had events that caused a peak parking demand in order to ease on-street parking demands that affect the surrounding residential neighborhood. This District has indicated a desire to continue the informal arrangement with the church to utilize the existing parking facilities.

Response to Comment No. 50

This comment is acknowledged. The recommendation of the EQAC urging the church to allot a greater number of parking spaces for use by the high school is reflected in MM 4.2-13 in the Draft EIR. This recommendation will be forwarded to the Newport Beach Planning Commission and City Council for consideration prior to taking action on the proposed project.

Response to Comment No. 51

The traffic analysis was conducted at the direction of the City Traffic Engineer in accordance with the applicable standards. The analysis evaluated the anticipated "typical" development scenario as proposed by the project applicant using industry accepted trip generation rates. An analysis of mid-week parking related to memorial service parking was not conducted since the capacity of the main sanctuary is not changing and the project will not impact the number of potential memorial services. It should be acknowledged that mid-week memorial services create increased parking demands on the area when school is in session because parking at NHHS is not available. The proposed project increases on-site supply by 150 spaces and memorial services that draw the maximum occupancy of the main sanctuary are not typical events.

Response to Comment No. 52

The conclusion that the proposed project would not exacerbate the existing parking deficiencies in the neighborhood is based on the findings of the parking study, which determined that with the addition of 150 parking spaces on-site (albeit 62 spaces short based on the City's parking code requirement of one parking space for each three seats), the availability of parking in the 15th Street parking lot, and the on-street parking that is located on 15th Street, Clay Street, and St. Andrews Road adjacent to the site, adequate parking would exist without encroaching into the residential streets in the surrounding neighborhood.